

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

GARY S. JOHNSON, #1054987

§

VS.

§

CIVIL ACTION NO. 5:09cv93

DR. HANDLY

§

ORDER OF DISMISSAL

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Caroline M. Craven, who issued a Report and Recommendation concluding that the lawsuit should be dismissed. The Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the Court. It is accordingly

ORDERED that the complaint is **DISMISSED** with prejudice for purposes of *in forma pauperis* proceedings pursuant to 28 U.S.C. § 1915(g). The Plaintiff's motion to proceed *in forma pauperis* (docket entry #2) is **DENIED**. The Plaintiff may resume the lawsuit if he pays the entire filing fee of \$350 within thirty days from the entry of the Final Judgment. It is finally

ORDERED that all motions not previously ruled on are **DENIED**.

SIGNED this 12th day of August, 2009.



DAVID FOLSOM
UNITED STATES DISTRICT JUDGE